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Notice of Allowability	Application No.	Applicant(s)	
	09/786,275	BOULANGER ET AL.	
	Examiner	Art Unit	
	Ted M. Wang	2634	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 09/09/2005.
2. ☒ The allowed claim(s) is/are 1-3 and 5.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
 - * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|---|
| <ol style="list-style-type: none"> 1. <input type="checkbox"/> Notice of References Cited (PTO-892) 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | <ol style="list-style-type: none"> 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date <u>9/21/2005</u>. 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance 9. <input type="checkbox"/> Other _____. |
|---|---|

DETAILED ACTION

Examiner's Statement

1. Applicants' amendments and arguments, filed on 09/09/2005, with respect to Claims 1-3 and 5 have been fully considered. The 35U.S.C. 103(a) rejection has been overcome by rewritten those objected depend claims in independent form including all of the limitations of the base claim and any intervening claims. None of the previously cited reference teaches the amended independent Claim 1.

Examiner Amendments

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

3. Authorization for this examiner's amendment was given in a telephone interview with Attorney Eckhard Kuesters on September 21, 2005.

4. The application has been amended as follows:

In the claims:

- In claim 1, line 16, change "CROSS_k⁽¹⁾" to --- CROSS⁽¹⁾_k ---, and line 19, change "DOT_k" to --- DOT⁽¹⁾_k ---.

Allowable Subject Matter

5. Claims 1-3 and 5 are allowed.

6. The following is an examiner's statement of reasons for allowance.

- The prior art fails to teach a method of Claim 1 that specifically comprises the following:

-- The instant application is deemed to be directed to a non-obvious improvement over the admitted prior art of the instant application and the invention patented in Pat. No. US 5,799,035, US 6,115,413, and US 6,349,109, and "On the implementation and performance of single and double differential detection schemes, *Simon et al.*; Communications, IEEE Transactions on, Volume: 40, Issue: 2, Feb. 1992, Pages:278 - 291.

The improvement comprises that – wherein for performing the first delayed multiplication, the quantity $I_k I_{k-1} + Q_k Q_{k-1}$ is calculated, supplying the real component $(DOT^{(1)}_k)$ of the new signal, the quantity $Q_k I_{k-1} - I_k Q_{k-1}$ is calculated, supplying the component $(CROSS^{(1)}_k)$ of the new signal, as recited; and

wherein for performing the second delayed multiplication, the quantity $(DOT^{(1)}_k) (DOT^{(1)}_{k-1}) + (CROSS^{(1)}_k) (CROSS^{(1)}_{k-1})$ is calculated, giving the real component $(DOT^{(2)}_k)$ of the final signal, the quantity $(DOT^{(1)}_{k-1}) (CROSS^{(1)}_k) + (DOT^{(1)}_k) (CROSS^{(1)}_{k-1})$ is calculated, giving the component $(CROSS^{(2)}_k)$ of the final signal, as recited

7. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ted M. Wang whose telephone number is (571) 272-3053. The examiner can normally be reached on M-F, 7:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Chin can be reached on (571) 272-3056. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.


Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at (866) 217-9197 (toll-free).

Ted M Wang

Examiner

Art Unit 2634

Ted M. Wang


STEPHEN CHIN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600